

AFFIDAVIT

Statement by Mark R. Hoop

I, Mark R. Hoop, of Hamilton County, Cinn, Ohio 45216 makes the following statement regarding Eagle Guards (2) found on the property of 230 Oakmont Street, Cincinnati, Ohio 45216.

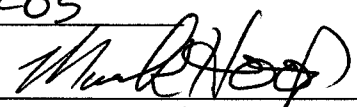
Due to a flooding problem, Kevin Scott was hired to do the renovation and was assisted by Charles R. Hoop approximately the first two weeks of November, 2004. While removing contents of the office into a storage POD, two (2) eagle fairing guards were discovered behind a large filing cabinet. These guards were unfinished, cracked and NOT A SET. A set would consist of one right side and one left side guard. Both guards discovered are right side and of different model years. They are also not chromed but are raw castings which are cracked and in no way salable to the public. I discovered no other eagle fairing guards.

Charles R. Hoop made the comment once these guards were discovered, "Oops ! You are not supposed to have these." My comment was, " I'll set these aside and turn them over to my attorney".

I have in no way advertised these eagle fairing guards since the preliminary injunction or instructed anyone else to do so. With respect to links showing, (American Aesthetics the original die cast eagle fairing guards): I have no control over links that are already in search engines on the net and cannot retract those.

The verbiage in American Aesthetics' web site under the section, (Warranty), reads: Fairing guards and Fork tube Extensions: This in no way refers to the Eagle design fairing guards but a new design I will be introducing to the market soon.

I declare under penalty of perjury that the foregoing is true and correct . Executed on

4-07-05
Signed: 
Mark R. Hoop

Date: April 7, 2005.